

KEKER & VAN NEST, LLP
MICHAEL H. PAGE - #154913
ASHOK RAMANI - #200020
KHARI J. TILLERY - #215669
710 Sansome Street
San Francisco, CA 94111-1704
Telephone: (415) 391-5400
Facsimile: (415) 397-7188

Attorneys for Third-Party Google Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

VISTO CORPORATION,

Plaintiff,

V.

RESEARCH IN MOTION LIMITED, et al..

Defendant.

Misc. Civil Case No. CV-08-80031-MISC-JL

Court of Original Jurisdiction
U.S. Dist. Ct.

E. Dist. Texas
Marshall Division
Case No. 2-06-CV-181-TJW

**STIPULATION TO CONTINUE
HEARING ON MOTION TO QUASH, OR
IN THE ALTERNATIVE, FOR A
PROTECTIVE ORDER**

RECITAL

On February 1, 2008, Visto Corporation issued a subpoena to third party Google Inc. in the matter of *Visto Corporation v. Research in Motion Limited, et al.*, Eastern District of Texas Case No. 2:06-CV-181 (TJW).

On March 10, 2008, Google filed a motion to quash the subpoena, or in the alternative, for a protective order, which is now pending before this Court and scheduled for hearing on April 23, 2008.

Visto and Google are currently working together to negotiate a compromise that, if successful, would resolve the subpoena and render Google's motion moot.

Given these ongoing negotiations, Visto and Google agree that it would be prudent to continue the hearing from April 23 to May 7, 2008 to avoid any unnecessary briefing by the parties or work by the Court.

STIPULATION

For the foregoing reasons, the parties, through their undersigned counsel, stipulate and agree to continue the hearing date for Google's motion to quash from April 23 to May 7, 2008 at 9:30 a.m. The parties further stipulate that Google's reply brief, by operation of the Civil Local Rules, will come due April 23, 2008.

9 IT IS SO STIPULATED.

10 || Dated: April 7, 2008

KEKER & VAN NEST, LLP

12 By: /s/ *Khari J. Tillery*
13 KHARI J. TILLERY
Attorneys for Third Party Google Inc.

Dated: April 7, 2008 SPIEGEL LIAO & KAGAY, LLP

16 By: /s/ Charles M. Kagay
17 CHARLES M. KAGAY
18 Attorneys for Plaintiff Visto Corporation

PURSUANT TO STIPULATION, IT IS SO ORDERED.

19 | Dated: April 8, 2008

The HONORABLE JAMES LARSON
United States Magistrate Judge